

TORRENS LAW AMENDED, NOW BOTH WORKABLE AND CONSTITUTIONAL

State Registration of Titles Expected to Become General Under Improved Law—Simplifies and Cheapens Procedure

By PROF. ALFRED C. HERVIES.

The "Torrens Law" of New York, which provides for the registration of title to real property, has just been amended by the Legislature in ways which will make it, when approved by the Governor, both workable and believed it will be, come into general operation in this State. That law, which is already operating successfully in several of the American States, enables a land owner, by registering his title through a court proceeding, to avoid the necessity of expensive re-examinations when the property is subsequently transferred, mortgaged or otherwise dealt with, and to utilize it as a much quicker and more liquid asset. The law has been on our statute books since 1908; and although it has advanced slowly thus far, it has been used for some very important titles and has not been by any means a failure.

The natural conservatism of real property owners and lawyers, the strong opposition of some adverse interests, the delay of initial registration of title, much reduced by the present amendments and its exploitation and advertisement for purposes for which it was never intended have heretofore stood in the way of the advancement of the law. The judicial explanations and criticisms of the statute and its operation in its work have now shown to very many persons who formerly opposed it that the system is for the best interests of real property owners, and there has been a general effort of those who seek the advantages of Torrens registration so to improve the law, by the amendments which have just passed the Legislature, to make it more attractive to land owners, but to lenders of money on mortgage security and to dealers with real property generally.

The amendments introduced into the Legislature for that purpose, the resulting amendments, which culminated in a compromise measure introduced by the Judiciary Committee of the Senate and approved by the Assembly, will remove technical difficulties revealed by experience and pointed out by the courts, simplify and cheapen the procedure for initial registration and carry and perfect the subsequent dealing with titles after they have once been registered.

The procedure to register a title in this State requires a preliminary application to the court for an order directing the registration action to go forward. It is provided by the new amendments that no omission or defect in that order, or in the papers or proceedings upon which it is made, shall take away or interfere with the court's jurisdiction to proceed with the proceedings. Thus the smooth, efficient working of the statute, which has been recognized by our highest courts, is perfected, and difficulties which have been suggested by the judges and which might otherwise have arisen are avoided.

The working of the law is simplified and the expense thereof reduced by amendments enabling the preliminary application to be made to any Justice of the Supreme Court within the judicial department where the property is situated; authorizing an official examiner of title to use as evidence, and have his report upon, a search or abstract secured by a title insurance company; requiring any defendant in the proceeding to set forth clearly and separately in an answer any specific objections that he may have to the official examiner's certificate of title, which is to be used as prima facie evidence upon application for judgment, and thus focusing and minimizing the court procedure; giving to an individual official examiner, who is an attorney and counselor at law, the power to sit as referee and administer oaths and examine witnesses in the course of his investigation of the title; requiring the Attorney-General appearing in the case to file a title after its initial registration, and to file thereafter any amendments and other incriminating parties to the proceeding; fixing the fees of such official examiners as are appointed by the Registrar of Titles, and the Registrar, and by shortening the proceedings in several other ways.

The expense to land owners will thus be materially reduced, and it is believed that it will be brought to such a figure as will attract them to put their titles under this system so advantageous in its ultimate results.

Those who have bestowed the greatest care in preparing the amendments just adopted by the Legislature have particularly perfected and simplified the procedure for initial registration and carry and perfect the subsequent dealing with titles after they have once been registered.

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official examiners are waiting for the law, as revised and improved, to be placed on our statute books. It is therefore believed that the law is going to be available for titles dealt with by this perfected statute. Real property owners will be quick to recognize these advantages, and the law is going to go forward, perhaps slowly but nevertheless certainly, to the great benefit of the people of New York.

BUYS RED BANK BANK BLDG.

W. A. Hopping has sold for the Fidelity Trust Company of Newark, N. J., the building formerly occupied by the First National Bank of Red Bank, N. J., on Broad street. Sigmund Eisner, clothing manufacturer, bought as a speculation.

NEWARK JUDGE SELLS HOUSE.

Peist & Peist have sold at Newark, N. J., for former Judge Jay Ten Eyck, his new brick Colonial residence at 314 Ridge street, in the Forest Hill section, to Richard M. Clark. The house is located on a corner lot, 150x100, about 200 feet from Second avenue.

NEW 5TH AVE. LOFT BUILDING.

Plans have been filed by Starrett & Van Vleet and George A. and Henry H. Van Vleet, architects, for a six-story store and loft building at 490 Fifth avenue, adjoining the southwest corner of Thirty-seventh street, for the United States Realty and Improvement Company. Harry I. Winsor, president. It will have a frontage of 27.7 and a depth of 116 feet and a facade of brick and limestone. The cost has been estimated at \$60,000.

BUYS NEWARK PLANT SITE.

Louis Schleinger has sold in the south end of the city of Newark for Henry G. Harbey to Albert N. Biddle the vacant plot at 289 to 297 South street, on the south side of the street just east of Jefferson street. A manufacturing building will be erected. The plot has a frontage of 125 feet and is 298 feet in depth.

NICHOLS RESIDENCE

IN 79TH ST SOLD

\$350,000—welling Where Owner Was Strangled Last September Bought by Miss Katherine A. Fitzpatrick

The dwelling at 4 East Seventy-ninth street, where Mrs. James E. Nichols, widow of the founder of Austin, Nichols & Co., wholesale grocers, was strangled to death last September by servants in a plot to steal \$10,000 worth of jewelry, was sold yesterday by the dead woman's heirs, Miss Katherine A. Fitzpatrick, the buyer of the big house, which has been held in the market at \$350,000. A price close to this figure is said to have been paid for the property by Miss Fitzpatrick, who bought it through William B. May & Co. and Bryan L. Kennedy. The dwelling is of the American basement plan, 100x100, on the east side of the street, 152d street and fronting 35 feet on the street and 100 feet deep. The interior of the building will be extensively altered for Miss Fitzpatrick, who will occupy it in the fall as a dwelling.

BUILDER GETS HEIGHTS ESTATE

Ward & Ward, representing the Susan B. Ward estate and Thomas A. Hiebro, have sold the plot of eight lots at 461 to 469 West 152d street, extending through to 153d street, between Amsterdam and St. Nicholas avenues. The estate has street frontages of 100 and 107.10 feet, respectively, with a depth of about 200 feet. A two-story and basement dwelling stands on the 152d street end, which was formerly the Ward residence. Back of the house the old

Croton Aqueduct bisects the property.

This end has been used for tennis courts. The property had been in the possession of title to the estate, for a great many years and is now understood to have passed to apartment house builders.

EAST SIDE APARTMENT DEAL.

EAST SEVENTY-SEVENTH STREET.—Frederick Oppenheimer has sold to a client of Henry G. Leisner and R. Silverman the six-story apartment house at 236 East Seventy-seventh street. It is on a lot 25x100 on the south side of the street, 255 feet west of Second avenue.

OGDEN AVENUE.

Emanuel G. Bach has purchased from Emeline C. Davis the plot, 100x100, on the east side of Ogden avenue, extending through to Nelson avenue. This is the first sale of the property since 1851.

S. I. SITE FOR APARTMENT.

Cornelius G. Koif has sold the large house and grounds with a frontage of 125 feet on Daniel Low terrace and of 125 feet on Belmont place, St. George, Staten Island, for many years occupied by Henry G. Woodruff. The purchaser will erect a large apartment house on the premises purchased. The same

BROOKLYN DWELLING SALES.

Henry Pierson & Co. have sold the three-story dwelling at 33 Sterling place for Josephine E. Morrish to Bertha Johnson for occupancy.

The McInerney-Klink Realty Company has sold for Elmira Robbins the one family house, 601 St. Michaels, at 536 J. Sterling Drake has sold for the Rev. Grant E. Fisher of Turtle Creek, Pa., to Miss Alva E. Forsell of New York city, a plot 40x100 on College avenue, Westerleigh, Staten Island, on which Miss Forsell will erect a cottage for her own occupancy.

R. P. Parker has sold two lots on the north side of Bay Ridge avenue, about 110 feet west of Third avenue.

DESIGNING LYCEUM OFFERS.

Starrett & Van Vleet are preparing plans for the sixteen-story building to be erected by Leo & Fleischman on the site of the Berkeley Lyceum and adjoining property at 19 to 25 West Forty-fourth street and 18 to 22 West Forty-fifth street.

HOUSES FOR THE SUMMER

LAKE COTTAGES

On Shore of One of the most beautiful lakes in Vermont.

From six to ten rooms, fully furnished, electric lights, modern plumbing, with hot and cold water, open fireplace. Complete electric kitchen, including refrigerator, sink, service at extremely low power rates. Tennis, croquet, vegetable and flower garden, tennis, croquet, vegetable and flower garden, tennis, croquet, vegetable and flower garden.

AMERICA'S MOST BEAUTIFUL LAKE in Vermont, in the heart of Green Mountain National Park, is the site of the most beautiful lake in Vermont. The lake is 10 miles long and 1 mile wide. It is surrounded by high mountains and is the source of the Lake Champlain. The lake is the most beautiful in the world. It is the most beautiful in the world. It is the most beautiful in the world.

Adirondack Camp

Suitable for individual, Club, School or Sanitarium—Near Schoon Lake.

In 30-acre pine grove over one mile on lake shore, thickly covered with standing pine timber, value \$100,000. Two houses and outbuildings. Master's house consists of kitchen, 2 bedrooms, sleeping porch, bath, 2 bathrooms, garage, and sleeping quarters for help. Other house of 10 rooms, 2 bedrooms, 2 bathrooms, and sleeping quarters for help. Other house of 10 rooms, 2 bedrooms, 2 bathrooms, and sleeping quarters for help.

Modern Furnished Houses on LAKE CHAMPLAIN

Boating beach, dock, spring water, heat, electric, screened porches, rent for season or year. Accommodations for 10 to 15 persons. Apply to Dr. Melville.

BUNGALOW ON LAKE CHAMPLAIN, 12 rooms, modern, fully furnished, electric, heat, hot water, swimming pool, tennis, croquet, vegetable and flower garden, tennis, croquet, vegetable and flower garden.

Modern Dwellings Now Renting

DEAL, ALLENHURST, ASBURY PARK, BRADLEY BEACH, AYON FOR ILLUSTRATED BOOKLET APPLY TO J. FRANK APPLEY CO. Office opposite depot. Allenhurst, N. J., and Asbury Park, N. J.

Deal, Allenhurst, Asbury Park, Bradley Beach, Ayon for illustrated booklet apply to J. Frank Appley Co. Office opposite depot. Allenhurst, N. J., and Asbury Park, N. J.

White Mountains

WHITE MOUNTAINS, N. H., on State road, for real, handsome, furnished, 12 rooms, 3 bathrooms, electric, heat, hot water, swimming pool, tennis, croquet, vegetable and flower garden, tennis, croquet, vegetable and flower garden.

WHITE MOUNTAINS, N. H., on State road, for real, handsome, furnished, 12 rooms, 3 bathrooms, electric, heat, hot water, swimming pool, tennis, croquet, vegetable and flower garden, tennis, croquet, vegetable and flower garden.

FLATBUSH

Widow Must Sacrifice

her detached house on East 18th St., convenient to Brighton Beach "L" station. In handsome section of Flatbush, 10 rooms, 2 bathrooms, electric, heat, hot water, swimming pool, tennis, croquet, vegetable and flower garden, tennis, croquet, vegetable and flower garden.

Easy Housekeeping Homes

20 just finished and sold—24 more under construction—no two alike.

Take your choice of Brooklyn's finest offering from the standpoint of accessibility, appearance, construction and price.

HOME ON SOUND

North Shore Long Island For Below Value to Sell Now.

Three-story house, 12 rooms, 2 bathrooms, electric, heat, hot water, swimming pool, tennis, croquet, vegetable and flower garden, tennis, croquet, vegetable and flower garden.

LONG ISLAND CITY

100 FULLY DEVELOPED LOTS, all improvements, in Long Island City, excellent for business. Square very desirable for business buildings or apartment houses.

EDGEMERE

200 FULLY DEVELOPED LOTS, all improvements, in Edgемere, L. I., 10 minutes from Manhattan. 15% to 20% income can be derived by erecting cottages of moderate cost.

BELLE HARBOR

100 BEAUTIFUL LOTS, with beautiful view of the harbor. L. I., 15 minutes from Manhattan. 15% to 20% income can be derived by erecting cottages of moderate cost.

BELLE TERRE

2 VERY CHOICE PLOTS, one containing about two acres and the other about five acres, with about 500 feet of frontage on Port Jefferson Harbor, at Belle Terre, Long Island.

PLANDOME

North Shore on Manhasset Bay. North Shore, hollow tile and stucco. 12 Rooms and 3 Baths. Great One-half Acre Plot. Close to Express Station. 30 Minutes from Manhasset Station. Considerable exchange, Manhattan Income. EASY OFFER CO., 11 East 45th St.

COME TO BAYSIDE, L. I.

The Ideal Home Town. Churches, Schools and Stores. High Class and Medium Homes. BOARD OF TRADE, Bayside, L. I.

WATCH BAYSIDE GROW

Beautiful plot of four lots right on the water, restricted locality, gas, electricity, water, sidewalks, etc., 10 minutes from city, with unique of considerably less than value for cash if bought at once. BALD, box 125-200.

MAHOPAC POINT

JUST OPENED. 50 Shore Front Plots.

Mahopac Point is unique. It is a heavily wooded peninsula jutting out into Lake Mahopac, almost entirely surrounded by water and is located right at the station. This property was formerly known as Hoguet Point, has been in one family for over a half century and its virgin growth of wonderful trees has never been disturbed.

Mahopac Point is now being laid out into sites for summer homes, of from one-third of an acre to three acres or more in size, each site being a natural setting. The contour of this wonderful piece of property is such that it rises abruptly from the water, giving deep water right at the shore and having overhanging cliffs in many places twenty to forty feet above the surface of the lake. It rises to a height of seventy-two feet through the centre of the property. There are about fifty exclusive water front plots. Prices run from \$1,000 to \$3,000.

Several bungalows now in course of construction will be available by June 1st. Prices from \$3,000 to \$5,000; complete with all improvements and permanent water rights. Office on property. Further particulars by mail with photos of floor plans.

MAHOPAC POINT CORPORATION
LEO BUGG, Pres.
40 West 32d Street Phone 9860 Mad.



MAHOPAC POINT CORP.

LEO BUGG PRES
40 W. 32ND ST. NEW YORK.

REAL ESTATE.

FOR SALE OR RENT.

Two Fine Country Residences for sale at 1/4 Their Cost.

An extraordinary bargain Splendidly Located in the finest section of the Thousand Islands.

In perfect condition, completely furnished, 12 rooms, 2 bathrooms, occupancy. Carriage. The house occupies four acres on Cherry Island, 15 minutes from Manhattan. The house is a masterpiece of architecture, with a half a mile from the village of Alexandria Bay. Superior view. Houses are similar, each of stone, brick and wood with two living rooms, dining room, servants' quarters, open fireplace, steam heat, water and electric light. Broad piazzas. Boat house, with seven rooms and bath. Ice house, ladder. Will sell entire property, or either house, with two acres. Houses may be rented.

For particulars apply to NATHAN STRAUSS, Asst. N.Y. 33 West 42d St., New York.

REAL ESTATE FOR SALE.

CANADA.

SALE—Shady Island on Rideau Lakes, between Kingston and Ottawa, seven miles from Kingston. Beautifully situated, modern bungalow, 12 rooms, 2 bathrooms, 10 minutes from Kingston. Fully and tastefully furnished. Excellent view of the lake. The house is a masterpiece of architecture, with a half a mile from the village of Alexandria Bay. Superior view. Houses are similar, each of stone, brick and wood with two living rooms, dining room, servants' quarters, open fireplace, steam heat, water and electric light. Broad piazzas. Boat house, with seven rooms and bath. Ice house, ladder. Will sell entire property, or either house, with two acres. Houses may be rented.

For particulars apply to NATHAN STRAUSS, Asst. N.Y. 33 West 42d St., New York.

REAL ESTATE FOR SALE.

CALIFORNIA.

How would you like to own five or ten acres of choice land near Los Angeles? Rent today, free book, let describing land and explaining our easy payment plan. ANTIQUARY LAND ASSOCIATION, Pasadena, California.

LONG ISLAND REAL ESTATE FOR SALE.

MODERN BUNGALOW IN THE WOODS.

12 rooms and bath, modern improvements, 15 minutes from Manhattan. 15% to 20% income can be derived by erecting cottages of moderate cost.

For particulars apply to NATHAN STRAUSS, Asst. N.Y. 33 West 42d St., New York.

Up-to-Date Bungalow.

A modern and bath, within 2 minutes walk of bathing beach, has electricity, water, gas, and electric light. Rent today, free book, let describing land and explaining our easy payment plan. ANTIQUARY LAND ASSOCIATION, Pasadena, California.

PAINT 20 ACRES, MAKE MONEY

12 rooms and bath, modern improvements, 15 minutes from Manhattan. 15% to 20% income can be derived by erecting cottages of moderate cost.

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IT WILL PAY YOU

To consider this 21 acre productive farm, 12 rooms, 2 bathrooms, 10 minutes from Manhattan. 15% to 20% income can be derived by erecting cottages of moderate cost.

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42 West 39th St.

Street Store for Rent

PEASE & ELLMAN
340 Madison Avenue
Telephone Murray Hill 4700

QUEEN ANNE COTTAGE

12 rooms and bath, modern improvements, 15 minutes from Manhattan. 15% to 20% income can be derived by erecting cottages of moderate cost.

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English House

12 rooms, 2 bathrooms, 10 minutes from Manhattan. 15% to 20% income can be derived by erecting cottages of moderate cost.

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MODERN FACTORY

One story brick building, elegant condition, 15,000 square feet of floor space, equipped with up-to-date power plant, water, gas, and electric light, suitable for manufacturing or storage. One acre of ground, good labor district.

Reasonable terms. The HOWLAND-JOHNSON COMPANY, 22 West 42d St., New York.

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ALONG THE HUDSON

Large Estate and country homes, 12 rooms, 2 bathrooms, 10 minutes from Manhattan. 15% to 20% income can be derived by erecting cottages of moderate cost.

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